

1 MCGREGOR W. SCOTT  
United States Attorney  
2 JUSTIN L. LEE  
Assistant United States Attorney  
3 501 I Street, Suite 10-100  
Sacramento, CA 95814  
4 Telephone: (916) 554-2700  
5 Attorneys for Plaintiff  
United States of America  
6  
7  
8  
9

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 RIGOBERTO GUERRA-SALCEDO, and  
RAYMOND LEON RODRIGUEZ,  
15 Defendants.  
16

CASE NO. 2:20-CR-00089-WBS

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL  
ACT; FINDINGS AND ORDER

DATE: September 28, 2020

TIME: 9:00 a.m.

COURT: Hon. William B. Shubb

17  
18 **STIPULATION**

19 1. By previous order, this matter was set for status on September 28, 2020.

20 2. By this stipulation, defendants now move to continue the status conference  
21 until December 7, 2020 at 9:00 a.m., and to exclude time between September 28, 2020, and  
22 December 7, 2020 at 9:00 a.m., under Local Code T4.

23 3. The parties agree and stipulate, and request that the Court find the  
24 following:

25 a) The government has represented that the discovery associated with  
26 this case includes investigative reports, photographs, and audio recordings. All of  
27 this discovery has been either produced directly to counsel and/or made available  
28 for inspection and copying.

b) Counsel for defendants desire additional time review the discovery, conduct defense investigation, meet with their respective clients, and otherwise prepare for trial in this matter.

c) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of September 28, 2020 to December 7, 2020 at 9:00 a.m., inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 23, 2020

McGREGOR W. SCOTT  
United States Attorney

/s/ JUSTIN L. LEE  
JUSTIN L. LEE  
Assistant United States Attorney

Dated: September 23, 2020

/s/ JONATHAN GONZALES

JONATHAN GONZALES  
Counsel for Defendant  
Rigoberto Guerra-Salcedo


Dated: September 23, 2020

/s/ PHIL COZENS  
PHIL COZENS  
Counsel for Defendant  
Raymond Rodriguez

### FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: September 23, 2020

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE